

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RONALD LEE CANADA,

Plaintiff,

v.

PRISON WARDEN MULE CREEK
STATE PRISON, et al.,

Defendants.

No. 2:23-cv-02824-DAD-CKD (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION FOR FAILURE TO EXHAUST
ADMINISTRATIVE REMEDIES

(Doc. No. 11)

Plaintiff Ronald Lee Canada is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On January 2, 2024, the assigned magistrate judge issued findings and recommendations recommending that this action be dismissed because it was clear on the face of plaintiff's complaint that he had not exhausted his available administrative remedies prior to filing suit as is required. (Doc. No. 11 at 2–3.) Accordingly, the pending findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 2.) No objections to the findings and recommendations have been filed, and the time in which to do so has now passed.

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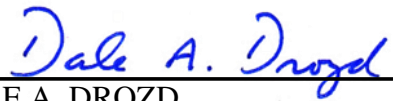
1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
2 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
3 findings and recommendations are supported by the record and by proper analysis.

4 Accordingly:

- 5 1. The findings and recommendations issued on January 2, 2024 (Doc. No. 11) are
6 adopted in full;
- 7 2. This action is dismissed, without prejudice, due to plaintiff's failure to exhaust
8 administrative remedies prior to filing suit; and
- 9 3. The Clerk of the Court is directed to close this case.

10 IT IS SO ORDERED.

11 Dated: March 15, 2024

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13 DALE A. DROZD
14 UNITED STATES DISTRICT JUDGE
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